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**ATTORNEY FOR DEBTORS**

**IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

IN RE:	§	
	§	
CARMEN ADRIANA DE LA TORRE	§	CASE NO.08-36278-HDH-13
	§	
Debtor	§	
	§	
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BAYVIEW LOAN SERVICING, LLC	§	
ITS ASSIGNS AND/OR SUCCESSORS	§	
IN INTEREST	§	
	§	
Movant	§	
	§	
vs.	§	
	§	
CARMEN ADRIANA DE LA TORRE	§	
and THOMAS POWERS, Trustee	§	
	§	
Respondents	§	

**RESPONDENT/DEBTOR'S AFFIDAVIT**

STATE OF TEXAS  
COUNTY OF DALLAS

BEFORE ME, the undersigned authority, on this day personally appeared CARMEN ADRIANA DE LA TORRE, who after being duly sworn and upon oath stated an age of over eighteen (18) years, sound mind, and is qualified and competent in all respects to make this affidavit and to do so of personal knowledge, and further stated that the following statements are true and correct, based upon personal knowledge, and further stated:

1. I filed a voluntary petition for relief under Chapter 13 of the Bankruptcy Code on or

about December 1, 2008.

2. On or about May 21, 2009, Movant filed a Motion for Relief from Stay with respect to the property located at 2623 Viva Drive, Mesquite, Texas 75150, alleging delinquent payments.

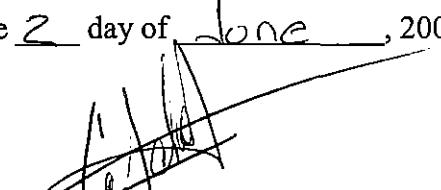
3. In approximately January 2009, I began the process of modifying my mortgage loan with Movant. I was instructed to wait on making mortgage payments until the modification process had been completed. I have tried repeatedly without success to speak with someone in the modification department to get the status of the loan modification. My last attempt was in May 2009.

4. The insurance and taxes on my home are paid by the mortgage company from the monthly payments made to the mortgage company.

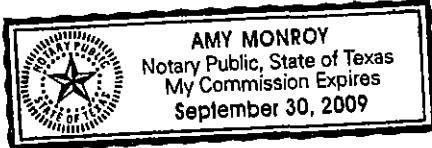
5. This property referenced in the Motion to Lift Stay is my homestead and where my family and I currently reside. This property is necessary for my reorganization.

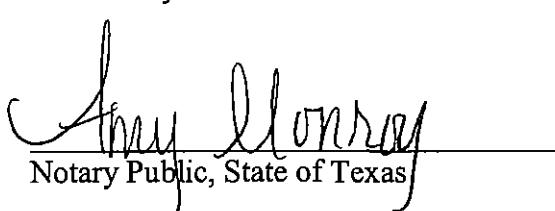
6. I would suffer an irreparable injury, undue hardship, and loss of equity if the Automatic Stay were lifted.

SIGNED this the 2 day of June, 2009.

  
CARMEN ADRIANA DE LA TORRE

SUBSCRIBED AND SWORN TO before me by the above named Affiant on this the 2nd day of June, 2009, to certify which witness my hand and seal of office.



  
Amy Monroy  
Notary Public, State of Texas